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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,589	09/14/2000	Blake Earl Hayward	P3953	9165
24739	7590	07/28/2006	EXAMINER	
CENTRAL COAST PATENT AGENCY PO BOX 187 AROMAS, CA 95004			BRUCKART, BENJAMIN R	
		ART UNIT	PAPER NUMBER	
		2155		

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/661,589	HAYWARD, BLAKE EARL	
	Examiner Benjamin R. Bruckart	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 June 2006.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 29-38 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 29-38 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_

**Detailed Action**

Claims 29-38 are pending in this Office Action.

Claims 29, 31, 33 and 36 are amended.

Claims 1-28 remain cancelled.

**Specification**

Applicant's amendment to the specification 6/13/06 has been entered.

*Oath/Declaration*

The oath and declaration is defective and objected to because the claim benefit to priority recites a case that is not eligible in the chain of priority and continuations. Application serial number 09/523,598 seems to be incorrectly cited and may be typographical in nature.

Appropriate correction is required.

*Specification*

The specification is objected to because of the following informalities: The cross-reference to related documents incorrectly cites application serial number 09/523,598 seems to be incorrectly cited and may be typographical in nature. Appropriate correction is required.

The examiner believes applicant may have intended to cite application serial number 09/323,598 now Patent no. 6,199,077. When updating the Oath and Declaration and Cross-Reference to Related Documents in the specification applicant is requested to provide current patent numbers in place of application numbers.

### **Response to Arguments**

Applicant's arguments filed in the amendment filed 6/13/06 have been fully considered but are moot in view of new grounds of rejection.

#### **Applicant's invention as claimed:**

**Claims 29-38 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,199,113 by Oyama et al.**

Regarding claim 29, a system for authenticating a user of network (Oyama: col. 2, lines 21-26), comprising:

    a network-connected verification server for performing the authentication (Oyama: col. 4, lines 18-25; bank 1b); and

    a network-connected appliance operable by the user for sending a request for authentication (Oyama: col. 3, lines 56-64);

    wherein the user specifies at least one network destination site known to the user as capable of accepting the user's username-password pair included in the request for authentication and a username-password pair for the user (Oyama: col. 3, lines 58- col. 4, line 6), and the server, in response to the request causes navigation to the at least one site and attempts a login with the username-password pair, successful login comprising authentication (Oyama: col. 4, lines 7-17).

Regarding claim 30, the system of claim 29, wherein the network is the Internet network (Oyama: col. 3, lines 24-34).

Regarding claim 31, the system of claim 30, wherein the verification server is a first server (Oyama: Fig. 1; tag 1b), and the request is sent from the appliance to a second server on the network (Oyama: Fig. 1, tab 1a), which forwards at least a portion of the request to the first server (Oyama: Fig. 1, tag 2), and the first server returns and indication of verification after

causing the navigation and log-in attempt to the site provided by the user (Oyama: Fig. 1, tag 2; col. 4, lines 18-45).

Regarding claim 32, the system of claim 29, wherein all or a portion of the request is compared against stored user profile data for verification purposes (Oyama: col. 4, lines 18-25).

Regarding claim 33, the system of claim 30, wherein the request comprises a plurality of site and username-password pairs for the sites, and authentication is a number based on log-in results (Oyama: col. 4, lines 52-55).

Regarding claim 34, a method for authenticating a user of a network (Oyama: col. 2, lines 21-26), comprising the steps of:

(a) accepting by a server an authentication request from the user comprising at least one network destination site known to the user as capable of accepting the user's username-pair and the username-password pair is included in the authentication request from the user (Oyama: Fig. 1, tab 1a; col. 3, lines 56- col. 4, line 6);

(b) causing, by the server, navigation to the at least one site and a login attempt with the username-password pair (Oyama: Fig. 1, tag 2; col. 4, lines 7-17); and

(c) reporting an indication of authenticity according to success or failure of the login attempt (Oyama: col. 4, lines 7-45).

Regarding claim 35, the method of claim 34, wherein the network is the Internet network (Oyama: col. 3, lines 24-34).

Regarding claim 36, the method of claim 34 wherein the server is a first server (Oyama: Fig. 1; tag 1b), and the request is sent from the appliance to a second server on the network (Oyama: Fig. 1, tab 1a), which forwards at least a portion of the request to the first server (Oyama: Fig. 1, tag 2), and the first server returns and indication of authenticity after causing the navigation and log-in attempt at the site provided by the user (Oyama: Fig. 1, tag 2; col. 4, lines 18-45).

Regarding claim 37, the method of claim 34 wherein all or a portion of the request is compared against stored user profile data for verification purposes (Oyama: col. 4, lines 18-25).

Regarding claim 38, the method of claim 34, wherein the request comprises a plurality of sites and username-password pairs for the sites, and authentication is a number based on log-in results (Oyama: col. 4, lines 52-55).

#### Prior Art

U.S. Patent No. 6,005,939 by Fortenberry et al teaches a passport agent that issues data to websites on the client's request to authenticate.

U.S. Patent No. 6,460,084 by Van Horne et al teaches a portal server for user identity managing and redirecting client requests for display.

U.S. Patent No. 6,892,307 by Wood et al teaches trust levels with secure based logons and issuing credentials based on login data and configurations.

#### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart  
Examiner  
Art Unit 2155

*brb*

*Saleh*  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER